

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
JULY 1, 2010**

PRESENT:	Dennis Fife	Mayor
	Bruce Christensen	Councilmember
	Scott Ericson	Councilmember
	Ruth Jensen	Councilmember
	Bob Marabella	Councilmember
ALSO PRESENT:	Rick Bosworth	Human Resource Coordinator
	Mark Bradley	City Planner
	Dave Burnett	Public Power Director
	Mary Kate Christensen	City Recorder
	Blake Fonnesebeck	Public Works Director
	Paul Larsen	Economic Development Director
	Kristy Law	Recreation Supervisor
	Bruce Leonard	City Administrator
	Jason Roberts	Finance Director
	Paul Tittensor	Chief of Police
EXCUSED:	Tyler Vincent	Councilmember

Mayor Fife called the meeting to order. The Reverence Period was given by Pastor Mike Galica of the Holy Cross Lutheran Church. Mr. Ron Germer led the Pledge of Allegiance. A motion to approve the minutes of June 17 Council and Work Session, June 24 Special Meeting was made by Councilmember Christensen, seconded and carried.

**PUBLIC COMMENT
CONSENT**

- Promotion in the Recreation Department
- Reappointments to the Historical Preservation Commission
- Reappointments to the Economic Development Board
- Reappointment to the Volunteer Center Advisory Board
- Appointment to the Volunteers in Police Service Council
- Reappointment to the Museum-Gallery Board
- Reappointments to the Library Board
- Appointments and Reappointments to the Public Utility Advisory Board

SCHEDULED DELEGATION

- North Peak Academy Charter School

NEW BUSINESS

- Changes to the City's Short-Term Disability Plan to Allow Employees to Use Leave Time to Pay for Insurance Premiums While on Short-Term Disability

UNFINISHED BUSINESS

- Update on UTOPIA Organization

PLANNING COMMISSION BUSINESS

- Request for Approval of Ordinance to Change Zone Designation for Property Located at 300 North 900 West from A-5 (Agricultural to M-D (Manufacturing-Distribution))

MAKING LIFE BETTER - DEPARTMENT REPORTS

- Top Detector Dog Honors to Officer Jared Glover and K-9 Sebastian at the UPOA Summer Convention K-9 Trials

OTHER BUSINESS

PUBLIC COMMENT

There were no comments from the public.

CONSENT

Promotion in the Recreation Department

It was recommended the Council approve the promotion of Kristy Law as Recreation Manager, Grade E59 effective July 1, 2010.

Reappointments to the Historical Preservation Commission

It was recommended Iantha Folkman, Julia Phippen and Jean Hawrylo be reappointed to the Historical Preservation Commission.

Reappointments to the Economic Development Board

It was also recommended Ken Kennedy, Steve Vincent, Jon Bunderson and Dennis Porter be reappointed to the Economic Development Board.

Reappointment to the Volunteer Center Advisory Board

Edna Munson was recommended for reappointment to the Volunteer Center Advisory Board.

Appointment to the Volunteers in Police Service Council

It was recommended the Council approve the appointment of Richard Velazquez to the Volunteers in Police Service Council.

Reappointment to the Museum-Gallery Board

Jon Bunderson was recommended for reappointment to the Museum-Gallery Board.

Reappointments to the Library Board

It was recommended the Council approve Brad Mortensen and Mary Clark to the Library Board.

Appointments and Reappointments to the Public Utility Advisory Board

It was recommended John Gunderson and Armand Portillo be reappointed to the Public Utility Advisory Board and Alan Wright be appointed to the same Board.

MOTION: A motion to approve the Consent Agenda was made by Councilmember Christensen, seconded by Councilmember Marabella and unanimously carried.

SCHEDULED DELEGATION

North Peak Academy Charter School

Ms. Kassi Capener came forward and stated that she represented a group of parents and educators from the community who are working hard to bring a charter school to the area. She explained that a charter school is tuition free and accepts all students. It is publicly funded. All teachers are certified and are required to follow the Utah Core Curriculum and provide the required testing. Charter Schools are small and they are their own school districts so they have local control.

North Peak Academy will provide education for grades Kindergarten to 9th Grade. Uniforms will be required and readily accessible in the community. There will be two classes per grade with 25 students per class. At maximum enrollment, they will have 500 students. They plan to follow a traditional school year and provide a school lunch program. Their design will be expeditionary learning and a great thinker focus.

Ms. Gardner explained the process they have to go through to become a Charter School. They have board members, have created the school on paper and written the charter and submitted it to the State Charter Board. They have reviewed the charter and have invited them to continue in the process. It is hoped within the next 3-6 months they will receive charter approval. Once that occurs, they will open enrollment and begin to secure a facility. It is hoped their school will open in Fall 2012.

The North Peak Academy School is looking for a facility that is 40,000-45,000 square feet where they can house 19 classrooms, a library, gym, auditorium and computer lab. They are currently exploring all options.

They would like to explore the option of North Peak Academy subleasing Bunderson Elementary. Their budget will allow them to pay at least \$10,000/month for the lease of the building. They would be financially responsible for the upkeep of the building and the grounds. Subleasing the Bunderson building will allow them to open a year earlier, and would provide the City with over \$100,000 in revenue in one year.

Councilmember Christensen expressed concern with taking 500 students out of the school system in the Brigham City area. Ms. Capener stated that when the money goes, the student goes also. When the student leaves the school, the district no longer needs to provide for that student. She added that Box Elder is currently the only District in the state that does not have a charter school. Mr. Jeff Biesinger from the Academy added that the charter school in Marriott-Slaterville has a waiting list of approximately 1,000 students. Typically, charter schools don't pull just from the area they are in, they have many people drive their child to the school. They have almost 50 families that commute from Brigham City to Marriott-Slaterville to take their kids to school. He explained that not all the property tax money leaves the school when the student does, 75% stays in the local school district.

Councilmember Marabella expressed some of the same concerns, adding that there was an article in the news about the possibility of ATK reducing more employees and students being moved out of the Box Elder School District and the impact it would have on the District, including laying off teachers. The potential of this and the potential of pulling out 500 students could put a significant strain on the Box Elder School District. He asked if they had met with the School Board, and if they are working with them or if it is a competitive environment. Ms. Capener explained that they have shared their Charter with the district and there are members of their board that have had discussions with the previous Superintendent. Ms. Capener agreed that ATK layoffs are a concern, however, they think it is better to go forward with what they want for their families and children of Brigham City rather than react out of fear. They do not want to have a competitive environment with the School Board, they want to have a working relationship.

Councilmember Ericson asked if the charter approval with the School Board could be taken care of prior to the start of the school year if Bunderson was available. Mr. Biesinger replied that they would not be able to meet the time line to open in the fall of 2010. If they are able to sublease Bunderson they would be able to open a year earlier than planned, the fall of 2011.

Councilmember Ericson asked how the school would pay for a new building if they build. Mr. Biesinger explained that the school pays for the building with the money coming in from the State. Some schools bond, but they pay for the bond with the monthly funds from the State.

Mayor Fife recommended that if the Bunderson School doesn't work out, they work with the Community and Economic Development group on other possibilities.

NEW BUSINESS

Changes to the City's Short-Term Disability Plan to Allow Employees to Use Leave Time to Pay for Insurance Premiums While on Short-Term Disability

Mr. Bosworth explained that there has been concern with the new short-term disability plan because employees will no longer receive 80%-90% of their paycheck when on short-term disability; it will now be 66 2/3%. In addition, the employee will be required to pay for their insurance premiums. The Employee Committee discussed the option of allowing employees on short-term disability to use their personal or annual leave at full value, or banked sick leave at 50%, to pay their insurance premiums and flexible account premiums.

MOTION: Councilmember Ericson made a motion to allow employees to use annual or personal leave, or banked sick leave at 50%, to pay for insurance premiums while on short-term disability. The motion was seconded by Councilmember Marabella and unanimously carried.

UNFINISHED BUSINESS

Update on UTOPIA Organization

Mayor Fife stated that he, Councilmember Marabella and City staff met with some members of the UTOPIA Executive Committee. The City made some recommendations to UTOPIA. They want to review these recommendations and come back to the City. He recommended this be tabled.

MOTION: Councilmember Marabella made a motion to table this item, seconded by Councilmember Christensen and carried.

PLANNING COMMISSION BUSINESS

Request for Approval of Ordinance to Change Zone Designation for Property Located at 300 North 900 West from A-5 (Agricultural to M-D (Manufacturing-Distribution)

Mr. Bradley came forward and explained that this is a request for a rezone for property west of 900 West at approximately 300 North. The current zoning is A-5 and the applicant has requested it be changed to M-D. It is approximately 4.9 acres. The Planning Commission held a public hearing on this and recommended approval.

Councilmember Marabella asked if the property owner is aware of the utility issues along that road. Mr. Bradley said he is.

MOTION: Councilmember Marabella made a motion to approve the ordinance to change the zoning designation for property located at 300 North 900 West from A-5 to M-D as presented. Councilmember Christensen seconded the motion, unanimously carried.

MAKING LIFE BETTER - DEPARTMENT REPORTS

Top Detector Dog Honors to Officer Jared Glover and K-9 Sebastian at the UPOA Summer Convention K-9 Trials

Chief Tittensor came forward and announced that Officer Jared Glover and K-9 Sebastian took top honors at the UPOA Summer Convention. They are the number one protective dog team in the State of Utah.

OTHER BUSINESS

A work session was scheduled for July 29 at 5:30 p.m. to discuss alternative sources of energy with UAMPS.

A motion to adjourn to a Redevelopment Agency Meeting was made by Councilmember Ericson. The motion was seconded and carried unanimously. The meeting adjourned at 8:00 p.m.